

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

WYETH HOLDINGS CORPORATION,
ET AL.,

Plaintiffs,

v.

SANDOZ, INC.,

Defendant.

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Civil Action No. 09-955-LPS-CJB

ORDER

At Wilmington this ^{1ST} day of March, 2012.

WHEREAS, Magistrate Judge Burke issued a Report and Recommendation (D.I. 89) dated February 3, 2012;

WHEREAS, the Report and Recommendation recommends that the Court DENY Plaintiffs' motion to dismiss Sandoz's Fourth Counterclaim and to strike Sandoz's Fourth Affirmative Defense directed to inequitable conduct (D.I. 64).

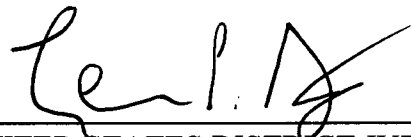
WHEREAS, any Objections to the Report and Recommendation (D.I. 89) were to be filed by February 21, 2012;

WHEREAS, neither party has filed an Objection to the Report and Recommendation;

WHEREAS, the Court concludes that the Report and Recommendation should be adopted for the reasons stated by Magistrate Judge Burke;

NOW THEREFORE, IT IS HEREBY ORDERED that the Report and Recommendation (D.I. 89) is **ADOPTED**; and Plaintiffs' motion to dismiss Sandoz's Fourth

Counterclaim and to strike Sandoz's Fourth Affirmative Defense directed to inequitable conduct (D.I. 64) is **DENIED**.



UNITED STATES DISTRICT JUDGE